

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

MONICA RAFEEDIE, et al,

Plaintiffs,

vs.

L.L.C., Inc., and W.F.K.R., Inc.,

Defendants.

Civil Action No: 1:10-cv-743-LY

**HON. LEE YEAKEL**

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**DEFENDANTS' DISCLOSURE OF WITNESSES, EXPERT WITNESSES AND  
PROPOSED EXHIBITS**

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Pursuant to the Scheduling Order (Doc. 97), Stipulations to Amendment the Scheduling Order (Doc.'s 107 and 129), and other agreements amongst the parties, Defendants L.L.C., Inc., and W.F.K.R., Inc., by and through counsel, hereby designate the following testifying experts, potential witnesses, and potential exhibits.

**A. Testifying Experts**

Plaintiffs reserve the right to name testifying expert witnesses on the issues of damages and reasonable attorney's fees and costs. Such designation and/or reports shall be submitted in conformity with the Scheduling Order (Doc. 97) and Stipulations (Doc.'s 107 and 129).

**B. List of Potential Witnesses**

Defendants hereby submit their list of potential witnesses in compliance with the Court's Scheduling Order as follows:

1. Louis Warren, former President of W.F.K.R., Inc., and President of L.L.C., Inc.
2. Bill Cox, General Manager.
3. Paul Goodman, Manager.
4. David Blaur, disc jockey, manager.
5. Larunce Pipken, Manager.
6. Chris Kennedy, Manager.
7. Aaron Fawcett, manager.
8. Theresa Thompson, Bookkeeper.
9. Kristyn McCaffrey, Administrative Support Staff.
10. Pat Seibert, Administrative Support Staff.
11. Chanlekha Bird (Meaux), Plaintiff.
12. Melissa Chavez, Plaintiff.

13. Victoria Chhang, Plaintiff.
14. Adriana Galicia, Plaintiff.
15. Stephanie Gise, Plaintiff.
16. Amanda Grimes, Plaintiff.
17. Susan Harris, Plaintiff.
18. Kelly Krampota, Plaintiff.
19. Anna Martinez, Plaintiff.
20. Vanessa Odreman, Plaintiff.
21. Sophea Trotta, Plaintiff.
22. Andrea Palmer, Plaintiff.
23. Amy Crabtree, former Plaintiff.
24. Jennilee Deleon, former Plaintiff.
25. Megan Fairchild, Plaintiff.
26. Adriana Fossett, former Plaintiff.
27. Bonnie (Rovonda) Gartner, Plaintiff.
28. Mary Griswold, former Plaintiff.
29. Frankie Henderson, former Plaintiff.
30. Deana Huber, Plaintiff.
31. Mesha Johnson, former Plaintiff.
32. Leandra Jordan, former Plaintiff.
33. Dana Kelly, Plaintiff.
34. Seychelle Kessler, Plaintiff.
35. Jennifer Killam, former Plaintiff.

36. Jamie Lee, former Plaintiff.
37. Avery Alex Morgan, former Plaintiff.
38. Ana Olivo, Plaintiff.
39. Christina Pascal, former Plaintiff.
40. Jenevie Pena, former Plaintiff.
41. Sherri Plinske, former Plaintiff.
42. Tina Ponkoney, former Plaintiff.
43. Monica Rafeedie, Plaintiff.
44. Tonia Reyes, Plaintiff.
45. Sydney Robb, Plaintiff.
46. Brynn Route, former Plaintiff.
47. Courtney Russell, Plaintiff.
48. Tammy Sanderson, former Plaintiff.
49. Mali Simpson, former Plaintiff.
50. Ashlee Strickland, Plaintiff.
51. Princess Trejo, former Plaintiff.
52. Shaybren Wallace, former Plaintiff.
53. April Duris, former entertainer.
54. Yazmer Aranda, entertainer.
55. K [REDACTED] A [REDACTED], entertainer.
56. Craig Andre, bartender.
57. A [REDACTED] T [REDACTED], waitress and former entertainer.
58. Shay Piel, disc jockey.

59. Heather Killough, hostess/door girl.

60. Clayton Davidson, bartender.

61. Jenny Reyna, former hostess/door girl.

62. David Furry, former manager.

63. Kush Sethi, former manager.

64. V [REDACTED] G [REDACTED], former entertainer.

65. A [REDACTED] M [REDACTED], former entertainer.

66. M [REDACTED] W [REDACTED], entertainer.

67. J [REDACTED] E [REDACTED], entertainer.

68. B [REDACTED] M [REDACTED], entertainer.

69. Any and all entertainers who have performed upon Defendants' premises during the three years preceding Plaintiffs' complaint to present may have discoverable information relative to Plaintiffs' claims, Defendants' defenses, and general operation of Defendants' businesses. Plaintiffs have been provided with a list of these individuals in compliance with the Court's order conditionally certifying the collective.

70. Accountant(s) for any named party that handled IRS documentation or tax returns on behalf of the Plaintiffs. It is believed that the tax professional that handled the tax returns for each said Plaintiff will have discoverable information relating to the manner in which Plaintiffs were classified for tax purposes, and the amounts claimed as income for any and all years relevant hereto.

71. Any and all individuals named by Plaintiffs.

72. Any and all individuals who may become known through discovery.

73. Defendants rely upon any individuals named by any other party whether or not called as a witness by that party at the time of trial.

74. Any and all individuals to authenticate documents.

75. Defendants reserve the right to name additional individuals and witnesses, and to otherwise supplement in accordance with the Court's Scheduling Order.

**C. Proposed Exhibits**

1. Defendants will use the following documents produced in response to Plaintiffs' written discovery requests, identified as follows:

Bates # 1 – 520	Perfect 10 Club Sign-In Sheets
Bates # 521 – 877	Sugar's Club Sign-In Sheets
Bates # 878 – 881	Perfect 10 – Chhang records
Bates #882 – 895	Perfect 10 – Galacia records
Bates #896 – 912	Perfect 10 – Gise records
Bates #913 – 922	Perfect 10 – Grimes records
Bates # 923 – 929	Perfect 10 – Harris records
Bates # 930 – 936	Perfect 10 – Krampota records
Bate #937 – 957	Perfect 10 – Martinez records
Bates #958 – 971	Perfect 10 – Odreman records
Bates #972 – 977	Perfect 10 – Rafeedie records
Bates #978 – 992	Perfect 10 – Trotta records
Bates #993 – 1002	Sugar's – Bird records
Bates #1003 – 1011	Sugar's – Chavez records
Bates #1012 – 1035	Sugar's – Chhang records

Bates #1036 – 1069	Sugar's – Gise records
Bates #1070 – 1078	Sugar's – Harris records
Bates #1079 – 1088	Sugar's – Krampota records
Bates #1089 – 1111	Sugar's – Odreman records
Bates # 1112 – 1129	Sugar's – Palmer records
Bates #1130 – 1136	Sugar's – Rafeedie records
Bates # 1137 – 1141	Sugar's – Trotta records
Bates # 1142 – 1150	Doorgirl Procedures
Bates #1151 – 1153	DJ Manual
Bates #1154 – 1157	Hostess Policies
Bates # 1158 – 1160	Andrea Palmer Selection Document
Bates #1161 – 1180	Sugar's New Hire Packet
Bates #1181 – 1187	Perfect 10 - Club Notices
Bates #1188 – 1196	Perfect 10 Club File – Strickland
Bates #1197 – 1210	Sugar's Club File – Strickland
Bates #1211 – 1221	Sugar's Club File – Olivo
Bates #1222 – 1428	Perfect 10 Script Redemption Records – 2007 through 2011
Bates #1429 – 1726	Sugar's Script Redemption Records –2008, 2009 and 2010
Bates #1727 – 2493	Perfect 10 - Independent Contractor/Entertainer Agreements
Bates #2494 – 2759	Sugar's – Independent Contractor/Entertainer Agreements
Bates #2760 – 2800	Sugar's Worked Reports re Plaintiffs
Bates #2801 – 2844	Perfect 10 Entertainer List with contact information, social security numbers, and performance date range
Bates #2845 – 2878	Sugar's Entertainer List with contact information, social

	security numbers, and performance date range
Bates #2879 – 2882	Perfect 10 Club File – Gartner
Bates #2883 - 2902	Sugar’s Club File – Gartner
Bates # 2903 – 5364	Perfect 10 Script Redemption Records 2007 through June, 2011
Bates # 5365 – 7376	Sugar’s Script Redemption Records 2007 through June, 2011
Bates # 8157-8268	Sugar’s Script Redemption Records June through August 2011
Bates # 8269-8391	Perfect 10 Script Redemption Records July through August 2011
Bates # 7377 – 7388	Perfect 10 Club File – Ponkoney
Bates # 7389 – 7399	Sugar’s Club File – Ponkoney
Bates # 7400 – 7402	Perfect 10 Club File – Morgan
Bates # 7403 – 7414	Sugar’s Club File – Morgan
Bates # 7415 – 7420	Sugar’s Club File – Fairchild
Bates # 7421	Sugar’s Club File – Griswold
Bates # 7422	Sugar’s Club File – Reyes
Bates # 7423 – 7443	Perfect 10 Club File – Henderson
Bates # 7444 – 7452	Sugar’s Club File – Henderson
Bates # 7453 – 7482	Perfect 10 Club File – Crabtree
Bates # 7483 – 7501	Sugar’s Club File - Crabtree
Bates # 7502 – 7503	Perfect 10 Club File - Wallace
Bates # 7504 – 7506	Sugar’s Club File – Wallace
Bates # 7507 – 7511	Perfect 10 Club File – Jordan
Bates # 7512 – 7518	Sugar’s Club File – Jordan



Bates # 7519 – 7525	Perfect 10 Club File – Kessler
Bates # 7526 – 7528	Sugar's Club File – Kessler
Bates # 7529 – 7539	Perfect 10 Club File – Huber (a/k/a Mitchell)
Bates # 7540 – 7548	Sugar's Club File – Huber (a/k/a Mitchell)
Bates # 7549 – 7551	Sugar's Club File – Pascal
Bates # 7552 – 7637	Perfect 10 Sign In Sheets – 2007
Bates # 7638 – 7868	Perfect 10 Sign In Sheets – 2008
Bates # 7869 - 8093	Perfect 10 Sign In Sheets – 2010
Bates # 8094 – 8105	Sugar's Club File – Kelly
Bates # 8106	Perfect 10 Club File – Johnson
Bates # 8107	Perfect 10 Club File – Plinske
Bates # 8108 – 8115	Perfect 10 Club File – Killam
Bates # 8116 – 8117	Payroll Information – Perfect 10 and Sugar's – Russell
Bates # 8118 – 8119	Perfect 10 Club File – Simpson
Bates # 8120 – 8122	Perfect 10 Club File – Lee
Bates # 8123 – 8133	Sugar's Club File – Lee
Bates # 8134 – 8140	Sugar's Club File – Robb
Bates # 8141 – 8147	Sugar's Club File – Sanderson
Bates # 8148 – 8156	Sugar's Club File – Deleon
Bates # 8392-8399	Perfect 10 Club File – Fossett
Bates # 8400-8403	Sugar's Club File – Pena
Bates # 8404	Perfect 10 Club File - Russell
Bates # 8405-8412	Sugar's Club File – Russell

Bates # 8413-8420	Sugar's Club File – Trejo
Bates # 8421-8427	Sugar's Productivity Report – Susan Harris – Kamau
Bates # 8428-8435	Perfect 10 Club File – Trejo
Bates # 8436-8522	Perfect 10 "Worked" Reports – January 2007 through August 2011
Bates # 8523-8618	Sugar's "Worked" Reports – January 2007 through August 2011
Bates # 8619-8629	Perfect 10 "Worked" Reports – January 2007 through September 2011
Bates # 8630-8642	Sugar's "Worked" Reports – January 2007 through September 2011
Bates # 8643-8649	Sugar's Club File – Galicia
Bates # 8650-8654	Perfect 10 Club File – Olivo
Bates # 8655-8666	Sugar's Club File – Olivo

2. The following documents that Defendants produced pursuant to Rule 26

Disclosures:

Bates # 1-7	Club File – Chanlekha (Bird) Meaux
Bates # 8-14	Club File – Chavez
Bates # 15-19	Club File – Chhang
Bates # 20-25	Club File – Galacia
Bates # 26-47	Club File – Gise
Bates # 48-53	Club File – Grimes
Bates # 54-59	Club File – Harris
-Bates # 60-77	Club File – Krampota
Bates # 78-93	Club File – Martinez

Bates # 94-107	Club File – McMorrow
Bates # 108-122	Club File – Odreman
Bates # 123-146	Club File – Trotta
Bates # 147-164	Club File – Palmer
Bates # 165-345	Redacted Entertainer Selection Documents
Bates # 346-392	Deposition Transcript of Sophea Trotta in the matter of Trotta v. State Farm Mutual Insurance
Bates # 393-401	Trotta Answers to Interrogatories in the matter of Trotta v. State Farm Mutual Insurance
Bates # 402-406	Trotta Responses to Request for Production of Documents in the matter of Trotta v. State Farm Mutual Insurance
Bates # 407-416	Trotta Responses to Request for Disclosures in the matter of Trotta v. State Farm Mutual Insurance
Bates # 417	Correspondence from Attorney regarding documents in the matter of Trotta v. State Farm Mutual Insurance

3. The following documents that Plaintiffs produced pursuant to Rule 26 Disclosures:

Bates # 1-34	Club Documents and Notices, Plaintiff Trotta's chart regarding income and expenses, and 2 checks from the club re: script redemption
Bates # 35	Plaintiff Rafeedie's 2009 Form 1099 MISC
Bates # 36	Plaintiff Rafeedie's 2007 Form 1099 MISC
Bates # 37-94	Plaintiff Trotta's additional documentation regarding income and expenses, along with copies of club receipts
Bates # 95-110	Plaintiff Rafeedie's Tax Documentation
Bates # 111-146	Plaintiff Trotta's Tax Documentation
Bates # 147-161	Plaintiff Chhang's Tax Documentation
Bates # 162-169	Plaintiff Chavez' Tax Documentation
Bates # 170-172	

4. Any and all discovery responses provided by Plaintiffs.

5. Any and all discovery responses provided by Defendants.
6. Deposition transcripts of all parties deposed in the instant cause of action.
7. Any and all documents relied upon by any expert in preparing any report, diagram, graph, chart, or relied upon for any qualified expert opinion that such person may provide.
8. Any and all documents and things identified or disclosed by any party.
9. Any and all documents and things identified or produced by any party in response to a discovery request.
10. Any and all documents attached or referenced in any filing in this case.
11. Defendants reserve the right to amend this list as other documents are disclosed through discovery.

Dated: October 18, 2011

Respectfully submitted,

SHAFFER & ASSOCIATES, PC

s/Matthew J. Hoffer

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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed Defendants' Disclosure of Witnesses, Expert Witnesses and Proposed Exhibits with the United States District Court for the Western District of Texas and thereby upon all parties, and further certify that an unredacted list of potential witnesses was served upon counsel of record via electronic mail.

Dated: October 18, 2011

*s/Matthew J. Hoffer*

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